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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

☒ Responsive to communication(s) filed on _Jan 26, 2000_

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3___ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) _1-55_ _____ is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _1-55_ _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

   ☐ All ☐Some* ☒None of the CERTIFIED copies of the priority documents have been

     ☐ received.

     ☐ received in Application No. (Series Code/Serial Number) _____ .

     ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   *Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____4___

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

1.   Claims 1-55 have been examined.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3.   Claims 1, 5-9,13-17,21-25,29-33,37-41,45-49,53-55 are rejected under 35 USC 102(e) as

anticipated by Godin(US Pat. No: 5,890,138).

4.   As per claim 1 Godin teaches a method for facilitating category selection by a user in a

computerized auction, comprising providing a category field containing a plurality of category

entries used to categorize an item in said computerized auction(Fig 4)(col 1 lines 58-62) selecting

one category entry of said plurality of category entries in said category field(col 3 lines 31-41)

and providing at least one subcategory field containing a plurality of subcategory entries used to

categorize said item in said auction(col 3 lines 44-48)(Fig 1/10/12), said plurality of subcategory

entries corresponding to said one category entry of said plurality of category entries(col 4 lines

16-29)(Fig 2/60/62) and selecting at least one subcategory entry of said plurality of subcategory

entries corresponding to said one category entry in said at least one subcategory field(Fig 4)(Fig

2/64)(Fig 7)(Fig 8).

5. As per claim 5 Godin the method according to claim 1, wherein said providing at least one subcategory field further includes providing a first subcategory field containing a plurality of first subcategory entries corresponding to said one category entry(Fig 7/106) of said plurality of category entries; providing a second subcategory field(Fig 7/108) containing a plurality of second subcategory entries corresponding to a selected first subcategory entry of said plurality of first subcategory entries and a third subcategory field(Fig 8)(Fig 7/110) containing a plurality of third subcategory entries corresponding to a selected second subcategory entry of said plurality of second subcategory entries(col 5 lines 16-40).

6. As per claim 6 Godin teaches the method according to claim 1, wherein said category field and said at least one subcategory field are graphically distinct areas(Fig 7/108)(Fig 8/64).

7. As per claim 7 Godin teaches the method according to claim 6, wherein said at least one subcategory field is substantially adjacent to said category field(Fig. 4).

8. As per claim 8 Godin teaches the method according to claim 6, wherein said category field and said at least one subcategory field are page mark-up language documents(Fig 7)(Fig 8).

9. As per claim 9 Godin teaches a method for facilitating category selection by a user in a computerized auction, comprising: providing a plurality of category entries in a category field to said user and receiving a category entry of said plurality of category entries selected by said user and providing a plurality of subcategory entries corresponding to said selected category entry in at least one subcategory field to said user and receiving at least one subcategory entry of said plurality of subcategory entries selected by said user(col 5 lines 16-40)(Fig 9).

10. As per claim 13 Godin teaches the method according to claim 9, wherein said at least one subcategory field further comprises a first subcategory field containing a plurality of first subcategory entries corresponding to said category entry of said plurality of category entries selected by said user; a second subcategory field containing a plurality of second subcategory entries corresponding to a selected first subcategory entry of said plurality of first subcategory entries; and a third subcategory field containing a plurality of third subcategory entries corresponding to a selected second subcategory entry of said plurality of second subcategory entries(col 5 lines 16-40)(Fig. 9).

11. As per claim 14 Godin teaches the method according to claim 9, wherein said category field and said at least one subcategory field are graphically distinct areas(Fig 6/92/94)(col 4 lines 63-67).

12.As per claim 15 Godin teaches the method according to claim 14, wherein said at least one subcategory field is substantially adjacent to said category field(Fig 4).

13. As per claim 16 Godin teaches the method according to claim 14, wherein said category field and said at least one subcategory field are page mark-up language documents(Fig 7)(Fig 8).

14. As per claim 17 Godin teaches a computer readable medium containing executable instructions which, when executed in a processing system, cause said system to perform a method for facilitating category selection by a user in a computerized auction(Fig 4)(col 1 lines 58-62), the method comprising: providing a category field containing a plurality of category entries; selecting one category entry of said plurality of category entries in said category field(col

3 lines 31-41) and providing at least one subcategory field containing a plurality of subcategory

entries, said plurality of subcategory entries corresponding to said category entry of said plurality

of category entries(col 4 lines 16-29)(Fig 2/60/62) and selecting at least one subcategory entry of

said plurality of subcategory entries corresponding to said one category entry in said at least one

subcategory field(Fig 4)(Fig 2/64)(Fig 7)(Fig 8).

15. As per claim 21 Godin the method according to claim 17, wherein said providing at least one

subcategory field further includes providing a first subcategory field containing a plurality of first

subcategory entries corresponding to said one category entry(Fig 7/106) of said plurality of

category entries; providing a second subcategory field(Fig 7/108) containing a plurality of second

subcategory entries corresponding to a selected first subcategory entry of said plurality of first

subcategory entries and a third subcategory field(Fig 8)(Fig 7/110) containing a plurality of third

subcategory entries corresponding to a selected second subcategory entry of said plurality of

second subcategory entries(col 5 lines 16-40).

16. As per claim 22 Godin teaches the computer readable medium according to claim 17,

wherein said category field and said at least one subcategory field are graphically distinct

areas(Fig 7/108)(Fig 8/64).

17. As per claim 23 Godin teaches the computer readable medium according to claim 22,

wherein said at least one subcategory field is substantially adjacent to said category field(Fig 4).

18. As per claim 24 Godin teaches the computer readable medium according to claim 22, wherein said category field and said at least one subcategory field are page mark-up language documents(Fig 7)(Fig. 8).

19. As per claim 25 Godin teaches a computer readable medium containing executable instructions which, when executed in a processing system, cause said system to perform a method for facilitating category selection by a user in a computerized auction(Fig 4)(col 1 lines 58-62) said method comprising:providing a plurality of category entries in a category field(col 3 lines 31-41) to said user and receiving a category entry of said plurality of category entries selected by said user;providing a plurality of subcategory entries corresponding to said selected category entry in at least one subcategory field(Fig 4)(Fig 7)(Fig 8)(Fig 2/64) to said user; and receiving at least one subcategory entry of said plurality of subcategory entries selected by said user(col 4 lines 16-29)(Fig 2/60/62).

20. As per claim 29 Godin teaches the computer readable medium according to claim 25, wherein said at least one subcategory field further comprises a first subcategory field containing a plurality of first subcategory entries corresponding to said category entry(Fig 7/106) of said plurality of category entries selected by said user and a second subcategory field(Fig 7/108) containing a plurality of second subcategory entries corresponding to a selected first subcategory entry of said plurality of first subcategory entries; and a third subcategory(Fig 8)(Fig 7/110) field containing a plurality of third subcategory entries corresponding to a selected second subcategory entry of said plurality of second subcategory entries(col 5 lines 16-40).

21. As per claim 30 Godin teaches the computer readable medium according to claim 25, wherein said category field and said at least one subcategory field are graphically distinct areas(Fig 6/92/94)(col 4 lines 63-67).

22. As per claim 31 Godin teaches the computer readable medium according to claim 30, wherein said at least one subcategory field is substantially adjacent to said category field(Fig 4).

23. As per claim 32 Godin teaches the computer readable medium according to claim 30, wherein said category field and said at least one subcategory field are page mark-up language documents(Fig 7)(Fig 8).

24. As per claim 33 Godin teaches an article of manufacture comprising a program storage medium readable by a computer and tangibly embodying at least one program of instructions executable by said computer to perform a method for facilitating category selection by a user in a computerized auction(Fig 4)(col 1 lines 58-62) and said method comprising providing a category field containing a plurality of category entries and selecting one category entry of said plurality of category entries in said category field(col 3 lines 31-41) and providing at least one subcategory field containing a plurality of subcategory entries, said plurality of subcategory entries corresponding to said one category entry of said plurality of category entries(col 3 lines 44-48)(Fig 1/10/12) and selecting at least one subcategory entry of said plurality of subcategory entries corresponding to said one category entry in said at least one subcategory field(Fig 4)(Fig 2/64)(Fig 7)(Fig 8).

25. As per claim 37 Godin teaches the article of manufacture according to claim 33, wherein said providing at least one subcategory field further includes providing a first subcategory field containing a plurality of first subcategory entries corresponding to said one category entry(Fig 7/106) of said plurality of category entries; providing a second subcategory field(Fig 7/108) containing a plurality of second subcategory entries corresponding to a selected first subcategory entry of said plurality of first subcategory entries; and a third subcategory field(Fig 8)(Fig 7/110) containing a plurality of third subcategory entries corresponding to a selected second subcategory entry of said plurality of second subcategory entries(col 5 lines 16-40).

26. As per claim 38 Godin teaches the article of manufacture according to claim 33, wherein said category field and said at least one subcategory field are graphically distinct areas(Fig 6/92/94)(col 4 lines 63-67).

27. As per claim 39 Godin teaches the article of manufacture according to claim 38, wherein said at least one subcategory field is substantially adjacent to said category field(Fig 4).

40. As per claim 40 Godin teaches the article of manufacture according to claim 38, wherein said category field and said at least one subcategory field are page mark-up language documents(Fig. 7)(Fig 8).

28. As per claim 41 Godin teaches an article of manufacture comprising a program storage medium readable by a computer and tangibly embodying at least one program of instructions executable by said computer to perform a method for facilitating category selection by a user in a computerized auction(Fig. 4)(col 1 lines 58-62), said method comprising providing a plurality of

category entries in a category field to said user(col 3 lines 31-41) receiving a category entry of

said plurality of category entries selected by said user(col 4 lines 16-29)(Fig 2/60/62) providing a

plurality of subcategory entries corresponding to said selected category entry in at least one

subcategory field to said user(Fig 4)(Fig 2/64)(Fig 7)(Fig 8) and receiving at least one

subcategory entry of said plurality of subcategory entries selected by said user.

29. As per claim 45 Godin teaches the article of manufacture according to claim 41, wherein said

at least one subcategory field further comprises a first subcategory field containing a plurality of

first subcategory entries corresponding to said category entry of said plurality of category entries

selected by said user(Fig 7/106) a second subcategory field containing a plurality of second

subcategory entries(Fig 7/108) corresponding to a selected first subcategory entry of said

plurality of first subcategory entries; and a third subcategory field(Fig 8)(Fig 7/110) containing a

plurality of third subcategory entries corresponding to a selected second subcategory entry of said

plurality of second subcategory entries(col 5 lines 16-40).

30. As per claim 46 Godin teaches the article of manufacture according to claim 41, wherein said

category field and said at least one subcategory field are graphically distinct areas(Fig

6/92/94)(col 4 lines 63-67).

31. As per claim 47 Godin teaches the article of manufacture according to claim 46, wherein said

at least one subcategory field is substantially adjacent to said category field(Fig 4).

32. As per claim 48 Godin teaches the article of manufacture according to claim 46, wherein said category field and said at least one subcategory field are page mark-up language documents(Fig 7)(Fig 8).

33. As per claim 49 Godin teaches a system for facilitating category selection by a user in a computerized auction(Fig 4)(col 1 lines 58-62) comprising a display component; and a category selection component coupled to said display component for providing a category field containing a plurality of category entries to said display component(col 3 lines 31-41) said display component detecting selection of one category entry of said plurality of category entries by said user(col 4 lines 16-29)(Fig 2/60/62) said category selection component receiving said one category entry selected by said user and providing at least one subcategory field containing a plurality of subcategory entries to said display component(col 3 lines 44-48)(Fig 1/10/12) said plurality of subcategory entries corresponding to said one category entry; said display component detecting selection of at least one subcategory entry of said plurality of subcategory entries by said user(Fig 4)(Fig 2/64)(Fig 7)(Fig 8).

34. As per claim 53 Godin teaches the system according to claim 49, wherein said category field and said at least one subcategory field are graphically distinct areas((Fig 6/92/94)(col 4 lines 63-67).

35. As per claim 54 Godin teaches the system according to claim 53, wherein said at least one subcategory field is substantially adjacent to said category field(Fig. 4).

36. As per claim 55 Godin teaches the system according to claim 53, wherein said category field

and said at least one subcategory field are page mark-up language documents(Fig 7)(Fig 8).

Claim Rejections - 35 USC § 103

37.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

38.   Claims 2-4,10-12,18-20,26-28,34-36,42-44,50-52 are rejected under 35 USC 103(a) as

unpatentable over Godin(US Pat. No: 5,890,138).

39. As per claim 2 Godin teaches using the system according to claim 1, wherein said category

selection component further receives said at least one subcategory entry selected by said user(Fig

2/62/64/66)(Fig 4)(Fig 8/64). Godin fails to teach extracting a category number associated with

said one category entry and said at least one subcategory entry to said display component.It

would have been obvious to one skilled in the art at the time ofthe invention to associate a

category number with a category description as taught by Godin. The motivation for this is to

more efficiently classify the categories.

40. As per claim 3 Godin teaches the method according to claim 1 for a category field for

products in an auction(Fig 2)(Fig 4). Godin fails to teach wherein said category field comprises

twelve category entries in alphabetical order.It would have been obvious to one skilled in the art

at the time of the invention to divide the category field into an arbitrary number of category

entries. The purpose of this is to narrow a search for localization of the product.

41. As per claim 4 Godin teaches the method according to claim 2, further comprising

subsequently accessing said one category entry and said at least one subcategory entry(col 5 lines

16-20). Godin fails to teach using a category number.It would have been obvious to one skilled

in the art at the time of the invention to divide the category field into an arbitrary number of

category entries and to utilize category numbers. The purpose of this is to narrow a search for

localization of the product.

42. As per claim 10 Godin teaches the method according to claim 9, further comprising

subsequently accessing said one category entry and said at least one subcategory entry(col 5 lines

16-20). Godin fails to teach using a category number.It would have been obvious to one skilled

in the art at the time of the invention to divide the category field into an arbitrary number of

category entries and to utilize category numbers. The purpose of this is to narrow a search for

localization of the product.

43. As per claim 11 Godin teaches the method according to claim 9, further comprising

subsequently accessing said one category entry and said at least one subcategory entry(col 5 lines

16-20). Godin fails to teach using a category number and instead uses verbal definitions. It

would have been obvious to one skilled in the art at the time of the invention to divide the

category field into an arbitrary number of category entries and to utilize category numbers. The

purpose of this is to narrow a search for localization of the product.

44. As per claim 50 Godin teaches using the method according to claim 10, wherein said

category selection component further receives said at least one subcategory entry selected by said

user(Fig 2/62/64/66)(Fig 4)(Fig 8/64). Godin fails to teach providing a category number

associated with said one category entry and said at least one subcategory entry to said display

component.It would have been obvious to one skilled in the art at the time ofthe invention to

associate a category number with a category description as taught by Godin. The motivation for

this is to more efficiently classify the categories.

45. As per claim 18 Godin teaches the method according to claim 17, further comprising

subsequently accessing said one category entry and said at least one subcategory entry(col 5 lines

16-20). Godin fails to teach using a category number and instead uses verbal definitions. It

would have been obvious to one skilled in the art at the time of the invention to divide the

category field into an arbitrary number of category entries and to utilize category numbers. The

purpose of this is to narrow a search for localization of the product.

46. As per claim 19 Godin teaches the method according to claim 17 for a category field for

products in an auction(Fig 2)(Fig 4). Godin fails to teach wherein said category field comprises

twelve category entries in alphabetical order.It would have been obvious to one skilled in the art

at the time of the invention to divide the category field into an arbitrary number of category

entries. The purpose of this is to narrow a search for localization of the product.

47. As per claim 20 Godin teaches the method according to claim 18, further comprising

subsequently accessing said one category entry and said at least one subcategory entry(col 5 lines

16-20). Godin fails to teach using a category number.It would have been obvious to one skilled in the art at the time of the invention to divide the category field into an arbitrary number of category entries and to utilize category numbers. The purpose of this is to narrow a search for localization of the product.

48. As per claim 26 Godin teaches the computer readable medium according to claim 25, wherein said category selection component further receives said at least one subcategory entry selected by said user(Fig 2/62/64/66)(Fig 4)(Fig 8/64). Godin fails to teach providing a category number associated with said one category entry and said at least one subcategory entry to said display component.It would have been obvious to one skilled in the art at the time of the invention to associate a category number with a category description as taught by Godin. The motivation for this is to more efficiently classify the categories.

49. As per claim 27 Godin teaches the method according to claim 25 for a category field for products in an auction(Fig 2)(Fig 4). Godin fails to teach wherein said category field comprises twelve category entries in alphabetical order.It would have been obvious to one skilled in the art at the time of the invention to divide the category field into an arbitrary number of category entries. The purpose of this is to narrow a search for localization of the product.

50. As per claim 28 Godin teaches using the system according to claim 26, wherein said category selection component further receives said at least one subcategory entry selected by said user(Fig 2/62/64/66)(Fig 4)(Fig 8/64). Godin fails to teach providing a category number associated with said one category entry and said at least one subcategory entry to said display component.It

would have been obvious to one skilled in the art at the time of the invention to associate a

category number with a category description as taught by Godin. The motivation for this is to

more efficiently classify the categories.

51. As per claim 34 Godin teaches the article of manufacture according to claim 33, wherein said

category selection component further receives said at least one subcategory entry selected by said

user(Fig 2/62/64/66)(Fig 4)(Fig 8/64). Godin fails to teach providing a category number

associated with said one category entry and said at least one subcategory entry to said display

component.It would have been obvious to one skilled in the art at the time of the invention to

associate a category number with a category description as taught by Godin. The motivation for

this is to more efficiently classify the categories.

52. As per claim 35 Godin teaches the article of manufacture according to claim 33 for a category

field for products in an auction(Fig 2)(Fig 4). Godin fails to teach wherein said category field

comprises twelve category entries in alphabetical order.It would have been obvious to one skilled

in the art at the time of the invention to divide the category field into an arbitrary number of

category entries. The purpose of this is to narrow a search for localization of the product.

53. As per claim 36 Godin teaches the article of manufacture according to claim 34, further

comprising subsequently accessing said one category entry and said at least one subcategory

entry(col 5 lines 16-20). Godin fails to teach using a category number.It would have been

obvious to one skilled in the art at the time of the invention to divide the category field into an

arbitrary number of category entries and to utilize category numbers. The purpose of this is to narrow a search for localization of the product.

54. As per claim 42 Godin teaches using the article of manufacture according to claim 41, wherein said category selection component further receives said at least one subcategory entry selected by said user(Fig 2/62/64/66)(Fig 4)(Fig 8/64). Godin fails to teach providing a category number associated with said one category entry and said at least one subcategory entry to said display component.It would have been obvious to one skilled in the art at the time ofthe invention to associate a category number with a category description as taught by Godin. The motivation for this is to more efficiently classify the categories.

55. As per claim 43 Godin teaches the article of manufacture according to claim 41 for a category field for products in an auction(Fig 2)(Fig 4). Godin fails to teach wherein said category field comprises twelve category entries in alphabetical order.It would have been obvious to one skilled in the art at the time of the invention to divide the category field into an arbitrary number of category entries. The purpose of this is to narrow a search for localization of the product.

56. As per claim 44 Godin teaches the method according to claim 42, further comprising subsequently accessing said one category entry and said at least one subcategory entry(col 5 lines 16-20). Godin fails to teach using a category number.It would have been obvious to one skilled in the art at the time of the invention to divide the category field into an arbitrary number of category entries and to utilize category numbers. The purpose of this is to narrow a search for localization of the product.

57. As per claim 50 Godin teaches using the system according to claim 49, wherein said category

selection component further receives said at least one subcategory entry selected by said user(Fig

2/62/64/66)(Fig 4)(Fig 8/64). Godin fails to teach providing a category number associated with

said one category entry and said at least one subcategory entry to said display component.It

would have been obvious to one skilled in the art at the time ofthe invention to associate a

category number with a category description as taught by Godin. The motivation for this is to

more efficiently classify the categories.

58. As per claim 51 Godin teaches the method according to claim 49 for a category field for

products in an auction(Fig 2)(Fig 4). Godin fails to teach wherein said category field comprises

twelve category entries in alphabetical order.It would have been obvious to one skilled in the art

at the time of the invention to divide the category field into an arbitrary number of category

entries. The purpose of this is to narrow a search for localization of the product.

59. As per claim 52 Godin teaches the method according to claim 50, further comprising

subsequently accessing said one category entry and said at least one subcategory entry(col 5 lines

16-20). Godin fails to teach using a category number.It would have been obvious to one skilled

in the art at the time of the invention to divide the category field into an arbitrary number of

category entries and to utilize category numbers. The purpose of this is to narrow a search for

localization of the product.

Conclusion

60.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Fraser teaches an automated auction processor

-Mori teaches an automatic auction method

-Franklin teaches secure auction systems

-Cupps teaches an internet online order method

Any questions regarding this communication should be directed to the examiner, Dr.

Geoffrey Akers, P.E. who can be reached at (703)-306-5844 between the hours opf 6:30 AM and

5:00 PM Monday through Friday. If attempts to contact the examiner are unsuccessful, the

examiner's supervisor, Mr. Vincent Millin, may be telephoned at (703)-308-1065.

GRA

February 28, 2001